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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

10545-014-999

Total Pages 104

First Named Inventor or Application Identifier

Dennis K. Watson

Express Mail Label No.

EL 501 638 610 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
Submit an original, and a duplicate for fee processing
2. ☒ Specification [Total Pages 87]
 (preferred arrangement set forth below)
 -Descriptive title of the Invention
 -Cross Reference to Related Applications
 -Statement Regarding Fed sponsored R&D
 -Reference to Microfiche Appendix
 -Background of the Invention
 -Brief Summary of the Invention
 -Brief Description of the Drawings (if filed)
 -Detailed Description of the Invention (including drawings, if filed)
 -Claim(s)
 -Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 13]
4. ☒ Oath or Declaration (unexecuted) [Total Sheets 2]
 a. ☐ Newly executed (original or copy)
 b. ☐ Copy from a prior application (37 CFR 1.63(d))
 (for continuation/divisional with Box 17 completed)
 [Note Box 5 below]
 i. ☐ DELETION OF INVENTORS(S)
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. Incorporation By Reference (useable if Box 4b is checked)
 The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 a. ☐ Computer Readable Copy
 b. ☐ Paper Copy (identical to computer copy)
 c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☐ Information Disclosure ☐ Copies of IDS Statement (IDS)/PTO-1449 Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
14. ☐ Small Entity ☐ Statement filed in prior application, Statement(s) Status still proper and desired
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Other:

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of pending international application No: PCT/US99/27805 filed November 23, 1999 which designates the United States.

18. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

NAME

ADDRESS

CITY

STATE

ZIP CODE

COUNTRY

TELEPHONE

FAX

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner _____

Art Unit _____

Assistant Commissioner for Patents
 Box PATENT APPLICATION
 Washington, D.C. 20231



Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending international application no. PCT/US99/27805 filed on November 23, 1999 which designates the United States.

of Dennis K. Watson, Takis S. Papas (deceased) and Tula Christy Papas (legal representative of Takis S. Papas now deceased)
 (inventor(s) currently of record in prior application)

for Methods And Compositions For Diagnosis And Treatment Of Cancer Based On The Transcription Factor ETS2.
 (title of invention)

1. ☒ Cancel claim 1 - 39 in the prior application without prejudice and add the new claims in the Preliminary Amendment before calculating the filing fee:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	42	-20	22	\$18.00 each	\$ 396.00
Independent	2	-3	0	\$80.00 each	\$ 0.00
Basic Fee					\$ 710.00
Multiple Dependency Fee If Applicable (\$270.00)					\$ 270.00
Total					\$ 1,376.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 688.00
Total Filing Fee					\$ 688.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a continuation of international application no. PCT/US99/27805, filed November 23, 1999 which is incorporated by reference herein in its entirety.

- 4a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 4b. ☐ New formal drawings are enclosed.
- 4c. ☒ Informal drawings are enclosed.
- 5a. ☒ Priority of international application no. PCT/US99/27805 filed on November 23, 1999 designating the United States is claimed under 35 U.S.C. §119; priority of U.S. provisional application no. 60/109,850 filed on November 25, 1998 is claimed under 35 U.S.C. 119(e).
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The pending international application is assigned of record to MUSC Foundation For Research Development.
- 7a. ☐ The Power of Attorney appears in the original papers in the prior application no. , filed .
- 7b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application no. , filed is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☒ Additional enclosure: Preliminary Amendment.

Respectfully submitted,

Date April 25, 2001

Laura A. Coruzzi

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(Reg. No.)

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